

REMARKS

In the Office Action mailed September 25, 2007, the Examiner noted that claims 4-11, 13, 15-17, 19, 21, 23 and 25 were pending and rejected claims 1, 4-11, 13, 15-17, 19, 21, 23 and 25. Claims 2, 3, 12, 14, 18, 22 and 24 remain withdrawn from consideration. Claims 1, 19, 21, 23 and 25 have been amended and, thus, in view of the forgoing claims 1, 4-11, 13, 15-17, 19, 21, 23 and 25 remain pending for reconsideration which is requested. No new matter has been added. The Examiner's rejections are traversed below.

In the Action the Examiner rejected claims 15 and 16 for obviousness double patenting over parent patent 6753847. Enclosed herewith is a Terminal Disclaimer. Withdrawal of the rejection is requested.

On page 3 of the Office Action, the Examiner rejected claims 1, 4, 6-11, 13, 15-17, 19, 21, 23 and 25 under 35 U.S.C. § 102 as anticipated by Kent. Page 6 of the Office Action rejects claim 5 under 35 U.S.C. § 103 over Kent and Ely.

Kent discusses an acoustic wave touch based system in which pixels are projected onto a helical surface. The disclosure is about how the touch sensing is performed.

In contrast, claim 1 emphasizes the mapping of the touch to a 3D cursor position as discussed on application paragraph 23+. Kent says nothing about this. Ely adds nothing to Kent with respect to the above-discussed feature. The above discussion can be looked to to inform the review by the Examiner of claims 19, 21, 23 and 25.

It is submitted that the independent claims distinguish over the prior art and withdrawal of the rejection is requested.

The dependent claims depend from the above-discussed independent claims and are patentable over the prior art for the reasons discussed above. The dependent claims also recite additional features not taught or suggested by the prior art. For example, claim 11 calls for "a non-planar 2D input space mapped to the 3D volumetric display". The Examiner looks to Kent at col. 13, lines 63-67 for this feature. This text particularly states:

Reliability of operation is enhanced according to the present invention even where different types of touching objects are to be sensed, such as fingers, gloved fingers, styli, etc. Likewise, potentially interfering factors may be identified and/or filtered or ignored.

(See Kent, col. 13, lines 63-67)

This text says nothing about a mapping merely about sensing. It is submitted that the dependent claims are independently patentable over the prior art.

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It is submitted that the claims are not taught, disclosed or suggested by the prior art. The claims are therefore in a condition suitable for allowance. An early Notice of Allowance is requested.

If any further fees, other than and except for the issue fee, are necessary with respect to this paper, the U.S.P.T.O. is requested to obtain the same from deposit account number 19-3935.

Respectfully submitted,

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